

IN THE SENATE OF THE UNITED STATES.

JUNE 8, 1860.—Ordered to be printed.

Mr. WILKINSON made the following

REPORT.

[To accompany Bill S. 499.]

*The Committee on Pensions, to whom was referred the petition of Miriam Davis, widow of Lot Davis, beg leave to report :*

That they have had the same under consideration, and it appears the husband of the petitioner was allowed a pension under a special act approved February 28, 1855, commencing January 1, 1850, on account of wounds and disabilities received in the Dartmoor prison in April, 1815.

He died on the 13th of February, 1858, and his widow prays a pension at the same rate her husband was allowed, to wit: six dollars per month.

Record proof of marriage; and that the petitioner is now a widow, is satisfactory; and that her husband was wounded and disabled as stated. (See report 464, Senate, second session, Thirty-fifth Congress, herewith attached.)

IN THE SENATE OF THE UNITED STATES, FEBRUARY 1, 1855.

*The Committee on Pensions, to whom was referred House bill 527, "An act for the relief of Lot Davis," report :*

That they have had the same under consideration, and believe the said Lot Davis to be equitably entitled to a pension under the act of 2d April, 1816. The following report of the Committee on Invalid Pensions sets forth the facts correctly:

*The Committee on Invalid Pensions, to whom was referred the petition of Lot Davis, report :*

That the petitioner declares that he was a seaman on board the privateer Elbridge Gerry, Captain Turner, which was taken by the British frigate Crescent, and carried into Halifax. He was taken thence to England and confined in Dartmoor prison, and was with the American

prisoners when they were fired upon by Captain Shortland's company, on the 6th April, 1815. At the time he was sick in his hammock, and while lying there was attacked by a British soldier, who thrust his bayonet into his head. On springing up, the soldier struck him a heavy blow, which split the bone of his leg and dislocated his left ankle. The wound on his leg seriously affected him after it was healed, causing a nervous twitching and shaking which has never left him, and he cannot walk, or even stand, without causing a swelling of his left leg.

We have the testimony of Amariah Goodwin that he was with Davis at the time of the massacre in Dartmoor prison, confirming all that is set forth in the declaration as to the wounds and the history of them. His character and respectability are fully certified to.

William Grove also testifies that he was in Dartmoor prison on the 6th April, 1815; that he knew him before, and has been acquainted with him since his return. He confirms the particulars in Davis's declaration, and states that he is unable to support himself in consequence of wounds then received. His character for veracity is certified by a justice of the peace.

Dr. Moses E. Sweet testifies that he has examined said Davis; that he is very much affected with a neuralgic affection of the head, in consequence of the nerves of the head being injured by a wound; that he suffers from his ankle having been dislocated and the left leg broken, and cannot support himself by manual labor. Dr. James Norton, of Baldwin, Maine, also gives similar testimony.

Davis has not obtained a pension because the roll of the wounded, which was furnished the department at the massacre, does not bear his name; but it is well known that the returns were imperfectly furnished by Captain Shortland, who committed the outrage, whose statement has been falsified by the American prisoners; besides, there are memoranda in the department showing that Davis was a prisoner in England at the time stated.

From the evidence before them, your committee does not doubt but that he was in Dartmoor prison at the time of the massacre, and that the wounds there received have caused his present disability. The committee therefore report a bill for his relief.

Edward Peabody and James Norton, M. D.'s, certified to be learned and respectable in their profession, testify that the cause of death of the husband of the petitioner was insanity, which, in their belief, was unquestionably the result of a wound in his head when in Dartmoor prison, by a bayonet thrust in the left temple; that the neuralgic affection which was the result of his wound, slowly but steadily increased, terminated in insanity, and increased until his death.

Dr. Peabody states that he was for a long time his family physician, and thinks "there can be no doubt that the injury which he received in his head (at the Shortland massacre, Dartmoor prison) was the ultimate cause of his death."

Your committee, upon a careful examination of the evidence, believe the petitioner is entitled to relief, and therefore report the accompanying bill.